

REMARKS

Assignee respectfully requests entry of the following amendments and remarks in response to the Final Office Action mailed June 9, 2010. Assignee respectfully submits that the amendments and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 1, 2, 10, 11, 18-20, and 25-27 are pending. In particular, Assignee amends claims 1-2, 10, 18, and 26 and cancels claims 19, 20, and 25 without prejudice, waiver, or disclaimer. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

The Examiner is encouraged to contact Assignee's attorney, after reviewing the present response, to resolve or discuss any questions or outstanding issues in an effort to expedite examination of the present application.

II. Rejections under 35 U.S.C. §103

The Office Action indicates that claims 1-2, 10-11, 18-20, and 25-27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,839,737 ("*Friskell*").

Independent claim 1 recites:

A method for initiating an instant messaging (IM) session, the method comprising:

receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account;

determining whether the received email message is from the given

Internet domain;

determining whether the sender of the received email message is currently present at the instant messaging account;

determining whether the sender of the received email message is a contact of a recipient of the received email message; and

in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender.

(Emphasis added).

Claim 1 is allowable over *Friskel* for at least the reason that *Friskel* fails to disclose, teach, or suggest "receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as emphasized above.

More specifically, *Friskel* discloses that a client user may initiate communications with any sender whose status information indicates that the sender is online and available. See col. 7, lines 46-55. *Friskel* does not disclose a rule that specifies that the received email message from the sender needs to be from a given Internet domain in addition to the sender being online. Accordingly, *Friskel* fails to teach or suggest "receiving a rule for handling a received email

message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as recited in claim 1.

For at least this reason, claim 1 is allowable. Dependent claim 2 is allowable for at least the reason that this claim depends from and includes the features of allowable independent claim 1.

Independent claim 10 recites:

A computer-readable storage medium that includes a program that when executed by a computer performs at least the following:

receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account;

determining whether the received email message is from the given Internet domain;

determining whether the sender of the received email message is currently present at the instant messaging account;

determining whether the sender of the received email message is a contact of a recipient of the received email message; and

in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of

the recipient of the received email message, automatically launching an instant messaging session with the sender.

(Emphasis added).

Claim 10 is allowable over *Friskel* for at least the reason that *Friskel* fails to disclose, teach, or suggest "receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as emphasized above.

More specifically, *Friskel* discloses that a client user may initiate communications with any sender whose status information indicates that the sender is online and available. See col. 7, lines 46-55. *Friskel* does not disclose a rule that specifies that the received email message from the sender needs to be from a given Internet domain in addition to the sender being online. Accordingly, *Friskel* fails to teach or suggest "receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "in response to determining

that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as recited in claim 10.

For at least this reason, claim 10 is allowable. Dependent claim 11 is allowable for at least the reason that this claim depends from and includes the features of allowable independent claim 10.

Independent claim 18 recites:

A system for initiating an instant messaging (IM) session, the system comprising:

means for receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account;

means for determining whether the received email message is from the given Internet domain;

means for determining whether the sender of the received email message is currently present at the instant messaging account;

means for determining whether the sender of the received email message is a contact of a recipient of the received email message; and

means for, in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender.

(Emphasis added).

Claim 18 is allowable over *Friskel* for at least the reason that *Friskel* fails to disclose, teach, or suggest "means for receiving a rule for handling a received email message, the rule

defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "means for, in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as emphasized above.

More specifically, *Friskel* discloses that a client user may initiate communications with any sender whose status information indicates that the sender is online and available. See col. 7, lines 46-55. *Friskel* does not disclose a rule that specifies that the received email message from the sender needs to be from a given Internet domain in addition to the sender being online. Accordingly, *Friskel* fails to teach or suggest "means for receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "means for, in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as recited in claim 18. For at least this reason, claim 18 is allowable.

Independent claim 26 recites:

A computer-readable storage medium for initiating an instant messaging (IM) session, the computer-readable medium including a program that when executed by a computer performs at least the following:

receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account;

determining whether the received email message is from the given Internet domain;

determining whether the sender of the received email message is currently present at the instant messaging account; and

in response to determining that the received email message is from the given Internet domain and the sender of the email message is currently present at the instant messaging account, automatically, without user input, launching an instant messaging session with the sender.

(Emphasis added).

Claim 26 is allowable over *Friskel* for at least the reason that *Friskel* fails to disclose, teach, or suggest "receiving a rule for handling a received email message, the rule defining first criteria and second criteria, the rule further defining an action to be performed when both the first criteria and the second criteria are satisfied by the receiving email message, wherein the first criteria specifies that the received email message is from a given Internet domain and the second criteria specifies that the sender of the received email message is currently present at an instant messaging account" and "in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as emphasized above.

More specifically, *Friskel* discloses that a client user may initiate communications with any sender whose status information indicates that the sender is online and available. See col. 7, lines 46-55. *Friskel* does not disclose a rule that specifies that the received email message from the sender needs to be from a given Internet domain in addition to the sender being online. Accordingly, *Friskel* fails to teach or suggest "in response to determining that the received email message is from the given Internet domain and the sender of the received email message is currently present at the instant messaging account and "in response to determining that the sender of the received email message is the contact of the recipient of the received email message, automatically launching an instant messaging session with the sender," as recited in claim 26.

For at least this reason, claim 26 is allowable. Dependent claim 27 is allowable for at least the reason that this claim depends from and includes the features of allowable independent claim 26.

Claims 19, 20, and 25 are canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to these claims is rendered moot. Assignee takes this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Assignee reserves the right to pursue the subject matter of the canceled claims in a continuing application, if Assignee so chooses, and does not intend to dedicate any of the canceled subject matter to the public.

CONCLUSION

For at least the reasons set forth above, all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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